

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

JASON N. CADWELL and HARALD B. FINDLAY,)
in their capacities as Co-Trustees of the Edward A.)
Deeds Revocable Trust dated December 23, 1999, as)
amended,)

Plaintiffs,)

v.)

CITIBANK, N.A., as Trustee of the Edward A. Deeds)
Trust under that certain Trust Agreement dated March)
1, 1945, and as Trustee of the Edith W. Deeds Trust)
under that certain Trust Agreement dated March 1,)
1945, DIANNE STEBBINS, SUSAN GRIFFIS,)
MARTHA DEEDS, JENNIFER HUFF, ELIZABETH)
MACKENZIE, and EDWARD A. DEEDS, JR.)

Defendants.)

Civil Action No. 1:23-cv-01315-
GHW-KHP

CITIBANK, N.A.'S MOTION TO PARTICIPATE IN ORAL ARGUMENT BY PHONE

Defendant Citibank, N.A. ("CBNA"), by and through its undersigned counsel, hereby requests the court grant permission to participate in the oral argument set for Monday, December 19, 2023 at 4:00PM in Courtroom 17D, United States Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Katharine H. Parker telephonically.

In support of this request, undersigned counsel states that CBNA, as trustee, has, generally speaking, taken no position as regards the instant motion for summary judgment except to the extent CBNA's rights under the *Surrogate's Courts Procedure Act* might be affected. Moreover, CBNA's counsel will be in Florida on December 19, 2023 on a previously scheduled vacation.

The undersigned has conferred with opposing counsel, and they have no objection to the granting of this motion.

WHEREFORE, Defendant prays the Court enter an order allowing for undersigned counsel to participate in oral argument telephonically.

LOCKE LORD LLP

/s/ Donald E. Frechette

Donald E. Frechette (Bar No. 5147202)

Locke Lord LLP

111 Huntington Ave

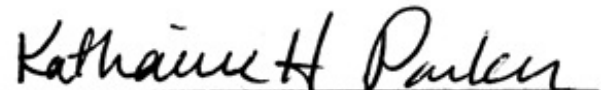
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APPLICATION GRANTED: Counsel is directed to email Judge Parker's Chambers with a telephone number where they can be connected to the courtroom on December 19, 2023.

APPLICATION GRANTED

A handwritten signature in black ink, reading "Katharine H. Parker", written over a horizontal line.

Hon. Katharine H. Parker, U.S.M.J.

12/04/2023

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 1st day of December, 2023, this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be mailed to those indicated as non-registered participants.

/s/ Donald E. Frechette
Donald E. Frechette